THE LAW OFFICE OF GREGORY P. MOUTON, JR.

Gregory P. Mouton, Jr., Esq., Principal
305 Broadway, 14th Floor
New York, NY 10007
Phone & Fax: (646) 706-7481
info@moutonlawnyc.com

January 28, 2014

Honorable Brian M. Cogan
District Court Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Via ECF

Re: <u>Shameek Jackson v. The City of New York, et al.</u>, 13 CV 765 (BMC)

Your Honor,

        My Office represents Plaintiff Shameek Jackson in the above entitled matter. In that capacity, I write in reply to the letter submitted by attorney for Defendant The City of New York, Brian Francolla, Esq., in which he appears to attribute blame for his client's failure to issue a check in a timely fashion on my office.
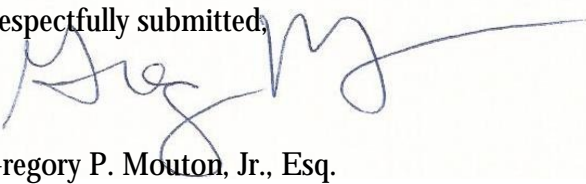
        While, in fact, I did contact Mr. Francolla regarding the check, I initially believed that perhaps my change in address was the reason for the failure for Defendant The City of New York to provide payment.

        However, it was not the case, and in fact, after contacting the Comptroller's Office, I was informed that no check had ever been issued, and that the Comptroller's Office already had my correct address on file. The failure to pay in a timely manner was solely due to Defendant The City of New York in failing to timely process the check, and was not in any way connected to my change in address.

        While Mr. Francolla may be right that I will receive payment soon, I have yet to receive the check to date. I am loathe to ask the Court to issue an Order with respect to this if a check has already been printed, but the continued failure to pay, coupled with the failure to take responsibility on the part of the Defendant may require the Court to issue an Order compelling payment.

Thank you for your time and consideration of this matter.

Respectfully submitted,

Gregory P. Mouton, Jr., Esq.

cc:

Brian Francolla, Esq. (via ECF)
Special Federal Litigation Unit
New York City Law Department
Attorneys for Defendants
100 Church Street
New York, NY 10007